

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 05, 2021

SEAN F. McAVOY, CLERK

JAY Y.,

No. 1:20-CV-3072-JTR

v.

ANDREW M. SAUL,
COMMISSIONER OF SOCIAL
SECURITY,

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

Defendant.

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 17. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Jeffrey E. Staples represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 8. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 17**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative action pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the Administrative Law Judge (ALJ) shall further develop the record, as appropriate, offer Plaintiff the opportunity for a new hearing, and issue a new decision. The ALJ is directed to: (1) reevaluate whether the severity of

ORDER GRANTING STIPULATED MOTION FOR REMAND - 1

1 Plaintiff's impairments meets or medically equals the criteria of a listed
2 impairment; (2) proceed with the sequential evaluation process; and (3) reconsider
3 all of the evidence, including the medical opinions of Drs. Bulfinch, Johnson, and
4 Gibson, as necessary.

5 2. **Judgment shall be entered for PLAINTIFF.**

6 3. Plaintiff's Motion for Summary Judgment, **ECF No. 16**, is
7 **STRICKEN AS MOOT.**

8 4. An application for attorney fees and costs may be filed by separate
9 motion.

10 The District Court Executive is directed to enter this Order, forward copies
11 to counsel, and **CLOSE THE FILE.**

12 DATED February 5, 2021.

A handwritten signature in black ink, appearing to be "M", is written over a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE